

REMARKS

Claims 2, 3, 6, and 12-15 are pending in the application. Claim 3 and 15 have been amended and Claims 2 and 6 have been canceled, leaving Claims 3 and 12-15 for consideration upon entry of the present amendment.

Claims 3 and 15 have been amended to incorporate all the limitations from canceled independent Claim 2.

No new matter has been introduced by these amendments. Reconsideration and allowance of the entire case is respectfully requested in view of the above amendments and the following remarks.

Double Patenting Under 35 U.S.C. § 101

Claims 2 and 6 stand provisionally rejected under 35 U.S.C. § 101 as allegedly claiming the same invention as that of Claims 1 and 2, respectively, of copending Application No. 11/008,030 (U.S. 2005/0099560).

Applicants have canceled Claims 2 and 6 without prejudice. As such, this rejection is moot.

Nonstatutory Double Patenting

Claims 3, 14, and 15 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claim 1 of copending Application No. 11/008,030.

Claims 12 and 13 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 9 and 12 of copending Application No. 11/008,030.

Applicants have co-submitted herewith a terminal disclaimer in compliance with 37 CFR 1.321(c). Accordingly, Applicants respectfully request that these rejections be withdrawn.

Claim Rejections Under 35 USC § 103

Claims 2, 3, 6, and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mizuno et al, (U.S. patent No. 6,011,605) in view of Shimada et al. (U.S. Patent No. 5,182,620).

As correctly noted by the Examiner, Mizuno et al. have a filing date of August 3, 1998, whereas Applicants have a priority date of July 31, 1998. Applicants submit

herewith a certified translation of the Japanese priority document, i.e., Japanese Patent Application No. Hei 10-218192. As such, Mizuno et al. can be antedated and therefore removed as a reference. Accordingly, Applicants respectfully request that this rejection be withdrawn and the case allowed.

In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicants' attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicants' attorney hereby authorizes that such fee be charged to Deposit Account No. 06-1130.

Respectfully submitted,

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Date: September 1, 2005